

REMARKS

Claim Rejections

Claims 1-6, 13-14, 20, 22, 25, 29, 32 and 34 are rejected under 35 U.S.C. § 102(b) as being anticipated by Tuttle et al. (6,487,681). Claims 7-12, 15-19, 21, 23-24, 26-28, 30-31, 33 and 35-36 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Tuttle et al.

Drawings

It is noted that no Patent Drawing Review (Form PTO-948) was received with the outstanding Office Action. Thus, Applicant must assume that the drawings are acceptable as filed.

Claim Amendments

By this Amendment, Applicant has canceled claims 6 and 25, as well as canceled withdrawn claims 37-40. Applicant has also amended claims 1 and 20 to include the limitations of canceled claims 6 and 25, respectively. Claim 1 has also been further amended to better protect what Applicant regards as the invention. Claims 14 and 22 have also been amended to better protect what Applicant regards as the invention, while claims 7-10, 26, 29 and 34 have been amended to account for the above-mentioned cancellations and amendments. It is believed that the amended claims specifically set forth each element of Applicant's invention in full compliance with 35 U.S.C. § 112, and define subject matter that is patentably distinguishable over the cited prior art.

The amended claims are directed toward: a batch testing system for wireless communication devices comprising: a signal generator for generating a first testing signal; a transceiving unit, deployed in a shielded anechoic chamber and coupled to the signal generator, for transmitting the first testing signal; a plurality of wireless communication devices under test (DUTs) in the shielded anechoic chamber for receiving the first testing signal from the transceiving unit and transmitting a plurality of second testing signals to the transceiving unit; and a signal monitoring device, coupled to the transceiving unit, for monitoring the second testing signals received by the transceiving unit, ***a batch container for loading the wireless***

communication devices, the batch container being selectively integrated with the shielded anechoic chamber.

Another embodiment is directed toward: a batch testing method for wireless communication devices comprising steps of: setting a plurality of wireless communication devices under test (DUTs) in a shielded anechoic chamber; generating a first testing signal; transmitting the first testing signal by a transceiving unit; receiving the first testing signal by the DUTs; analyzing the received first testing signal; transmitting a plurality of second testing signals by the DUTs; receiving the second testing signals by the transceiving unit; and monitoring the received second testing signals, ***wherein the DUTs receive the first testing signal in a predetermined channel.***

Yet other embodiments are directed toward the above system or method wherein the DUTs are deployed in a ***quiet zone separately defined within*** the shielded anechoic chamber.

Tuttle et al. teach a test system 10 for testing in-sheet transponders 12 provided on a continuous roll 20 of laminated film which feeds the sheets of transponders into the fixture 15, as shown in Fig. 1. It is important to note that continuous roll 20 is a separate structure external to the fixture 15. As a result, the reference cannot be said to teach a "batch container being ***selectively integrated with*** the shielded anechoic chamber." Claim 1 (*Emphasis added*). Furthermore, Applicant submits that the skilled artisan would not consider the roll 20 to teach or suggest a "batch container" as the term is understood in the relevant art. In contrast to Tuttle et al., Applicant teaches a variety of batch containers 242 (e.g., Figs. 4A-4B) used to support DUT's when loaded into the shielded anechoic chamber 24.

With regard to the Examiner's rejections of claims 25 (now incorporated into claim 20), 29, 32, and 34, the Examiner has also cited col. 4, ll. 8-32 of Tuttle et al. as teaching Applicant's predetermined channel or channels. However, Applicant has reviewed the cited text and submits that the cited text fails to teach or suggest anything about Applicant's recited predetermined channel or channels.

The Examiner has also cited cavity 72, as disclosed in col. 6, ll. 12-32, as teaching Applicant recited "quiet zone" (claims 14 and 22). Applicant does not acquiesce to this characterization, but, in order to speed prosecution, has chosen

to amend claims 14 and 22 to clarify that the quiet zone is a separate zone defined within the shielded anechoic chamber 24. For example, Applicant teaches on p. 5, ll. 5-13 of the specification and Figs. 2, 4A, 4B, and 5, that the batch container 242 is placed at the flared end of the shielded anechoic chamber 24 to reduce reflected interference. In comparison, Tuttle et al.'s cavity 72 merely includes an RF seal, and fails to teach anything about separate quiet zones within the cavity 72. As a result, the reference cannot be said to teach "a **quiet zone separately defined within** the shielded anechoic chamber. Claims 14 and 22 (*Emphasis added*).

Tuttle et al. do not teach: a batch testing system for wireless communication devices comprising: a signal generator for generating a first testing signal; a transceiving unit, deployed in a shielded anechoic chamber and coupled to the signal generator, for transmitting the first testing signal; a plurality of wireless communication devices under test (DUTs) in the shielded anechoic chamber for receiving the first testing signal from the transceiving unit and transmitting a plurality of second testing signals to the transceiving unit; and a signal monitoring device, coupled to the transceiving unit, for monitoring the second testing signals received by the transceiving unit, a batch container for loading the wireless communication devices, the batch container being selectively integrated with the shielded anechoic chamber.

Nor does the reference teach: a batch testing method for wireless communication devices comprising steps of: setting a plurality of wireless communication devices under test (DUTs) in a shielded anechoic chamber; generating a first testing signal; transmitting the first testing signal by a transceiving unit; receiving the first testing signal by the DUTs; analyzing the received first testing signal; transmitting a plurality of second testing signals by the DUTs; receiving the second testing signals by the transceiving unit; and monitoring the received second testing signals, wherein the DUTs receive the first testing signal in a predetermined channel.

The reference also fails to teach: the above system or method wherein the DUTs are deployed in a quiet zone separately defined within the shielded anechoic chamber.

It is axiomatic in U.S. patent law that, in order for a reference to anticipate a claimed structure or method, it must clearly disclose each and every feature of the claimed structure and method. Applicant submits that it is abundantly clear, as discussed above, that Tuttle et al. do not disclose each and every feature of Applicant's amended claims and, therefore, could not possibly anticipate these claims under 35 U.S.C. § 102. Absent a specific showing of these features, Tuttle et al. cannot be said to anticipate any of Applicant's amended claims under 35 U.S.C. § 102.

Furthermore, with regard to the obviousness rejections, Applicant respectfully traverses the Examiner's statements on pp. 4-6 in Official Notice. It is always incumbent upon the Examiner to find a reference to support a rejection. According to "Formulating and Communicating Rejections Under 35 U.S.C. for Application," the Examiner has to factually support any prima facie case of obviousness. If the Examiner does not produce a prima facie case, the applicant is under no obligation to submit evidence of non-obviousness.

It is further submitted that Tuttle et al. do not disclose, or suggest any modification of the specifically disclosed structures that would lead one having ordinary skill in the art to arrive at Applicant's claimed structure and method. Thus, it is not believed that Tuttle et al. render obvious any of Applicant's amended claims under 35 U.S.C. § 103.

Application No. 10/775,197


Summary

In view of the foregoing amendments and remarks, Applicant submits that this application is now in condition for allowance and such action is respectfully requested. Should any points remain in issue, which the Examiner feels could best be resolved by either a personal or a telephone interview, it is urged that Applicant's local attorney be contacted at the exchange listed below.

Respectfully submitted,

Date: September 5, 2007

By:


Demian K. Jackson
Reg. No. 57,551

TROXELL LAW OFFICE PLLC
5205 Leesburg Pike, Suite 1404
Falls Church, Virginia 22041
Telephone: 703 575-2711
Telefax: 703 575-2707

CUSTOMER NUMBER: 40144